

RULE 63 (37 C.F.R. 1.63)

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**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED "METHOD AND DEVICE FOR BATTERIES", the specification of which was filed as U.S. Serial No. 10/009,302 on December 7, 2001, Attorney Docket No. 627-P1446, U.S. National Phase of PCT International Application No. PCT/SE00/01049.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 including for continuation-in-part application, material information which becomes available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a) -(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international Application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| <u>PRIOR FOREIGN APPLICATION(S)</u> | | | <u>Priority Claimed</u> | | <u>Certified Copy Attached</u> | |
|-------------------------------------|----------------|---|-------------------------|-----------|--------------------------------|-----------|
| <u>Number</u> | <u>Country</u> | <u>Foreign Filing Date (MM/DD/YYYY)</u> | <u>Yes</u> | <u>No</u> | <u>Yes</u> | <u>No</u> |
| SE 9902286-5 | SWEDEN | 06/15/1999 | X | | | X |

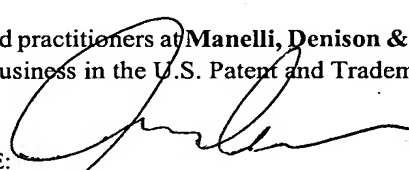
I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional Application(s) listed below.

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

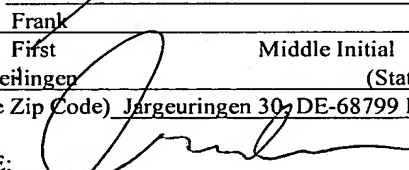
| <u>Application No. (series code/serial no.)</u> | <u>Filing Date (MM/DD/YYYY)</u> | <u>Status</u> | <u>Priority Claimed</u> | |
|---|---------------------------------|-------------------------------------|-------------------------|-----------|
| | | <u>pending, abandoned, patented</u> | <u>Yes</u> | <u>No</u> |
| PCT/SE00/01049 | 05/24/2000 | PENDING | X | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the registered practitioners at Manelli, Denison & Selter, pllc, represented by Customer No.: 20736 to prosecute this application and transact all business in the U.S. Patent and Trademark Office in connection therewith. Direct all correspondence to Customer No.: 20736.

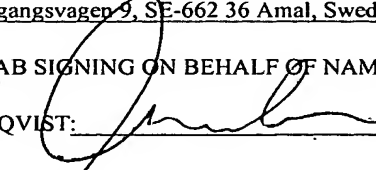
1. INVENTOR'S SIGNATURE:  Date 08/09/2002

| | | | |
|--|---|-----------------------|--------------------|
| Inventor's Name (typed) | <u>Frank</u> | <u>Lindqvist</u> | <u>Finsh</u> |
| | <u>First</u> | <u>Middle Initial</u> | <u>Family Name</u> |
| Residence (City) | <u>Reilingen</u> | <u>(State)</u> | <u>Germany</u> |
| Post Office Address (Include Zip Code) | <u>Jargeuringen 30, DE-68799 Reilingen, Germany</u> | | |

2. INVENTOR'S SIGNATURE:  Date 08/09/2002

| | | | |
|--|--|-----------------------|--------------------|
| Inventor's Name (typed) | <u>Henrik</u> | <u>Lindqvist</u> | |
| | <u>First</u> | <u>Middle Initial</u> | <u>Family Name</u> |
| Residence (City) | <u>Amal</u> | <u>(State)</u> | <u>Sweden</u> |
| Post Office Address (Include Zip Code) | <u>Bergangsvagen 9, SE-662 36 Amal, Sweden</u> | | |

3. SIGNATURE OF OFFICER OF MACBAT AB SIGNING ON BEHALF OF NAMED INVENTORS

FRANK LINDQVIST AND HENRIK LINDQVIST:  Date 08/09/2002

| | | | | | |
|--|---------------------------------------|-----------------------|--------------------|-----------------------------------|-------------------------------|
| Name (typed) | <u>Ake</u> | <u>H.</u> | <u>Johansson</u> | <u>President</u> | <u>Swedish</u> |
| | <u>First</u> | <u>Middle Initial</u> | <u>Family Name</u> | <u>Title of Officer of MACBAT</u> | <u>Country of Citizenship</u> |
| Residence (City) | <u>Arvika</u> | <u>(State)</u> | <u>Sweden</u> | | |
| Post Office Address (Include Zip Code) | <u>Box 189, 671 24 Arvika, Sweden</u> | | | | |

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COMPLETION OF FILING NATIONAL PHASE OF PCT APPLICATION

UNDER RULE 35 USC 371 AND 37 CFR 1.494(c) OR 1.495(c)

#4

COMPLETION
For PCT Cases Only

BOX PCT

In re PATENT APPLICATION of

Inventor(s): Lindqvist

Appl. No.: 10 009,302
 Series Code: Serial No.:

Atty. Dkt. 627-1446
 M# Client Ref

National Phase Filed: December 7, 2001

Based on PCT SE00 01049
 Country Code

(Our Deposit Account No. 50-0687)

(Our Order No. 62-627
 C# M#

Title: METHOD AND DEVICE FOR BATTERIES

Date: August 13, 2002

FILING OF ITEM(S) LATE IN PCT/USA NATIONAL CASE

Hon. Commissioner of Patents
 and Trademarks
 Washington, D.C. 20231

Sir:

The following completes the filing of the subject application under Rule 494(c)/495(c). Please accept the following attached items:

1. Missing Requirements Notice (PCT/DO/EO/905) ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration ☒ Original ☐ Facsimile/Copy ☐ with spec/claims attached
3. ☐ Translation of the International Application into English including:
 - a. ☐ Request;
 - b. ☐ Abstract
 - c. ☐ pgs. Spec. and Claims;
 - d. ☐ Translation verification
 - e. ☐ sheets Drawing which are ☐ informal ☐ formal of size ☐ A4 ☐ 11" ☐ 13" ☐ 14"
4. ☐ a copy of International Search Report (ISR) attached (☐ page(s))
 - a. ☐ plus Annex of family members (☐ page(s))
5. Information Disclosure Statement including:
 - a. ☐ Form PTO-1449 listing documents
 - b. ☐ Copies of document(s) listed on Form PTO-1449
 - c. ☐ A concise explanation of ISR references is given in the ISR
6. ☐ Assignment and cover sheet. Please return the recorded assignment to the undersigned.
7. ☐ Copy of Power to international application agent
8. ☐ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
9. ☐ Formal Drawings: ☐ sheet(s) ☐ informal; ☐ formal of size: ☐ A4 ☐ 11" ☐ 13" ☐ 14"
10. ☒ Please immediately start national examination procedures (35 USC 371(f))
11. ☒ Attached:

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Petition Under 37 C.F.R. § 1.47(b) to File Application on Behalf of Non-Signing Inventors
 Affidavit Showing Diligent Effort to Obtain Signatures of Inventors

#4

12. ☐ Preliminary Amendment:

13. ☒ Basic U.S. National fee per Rule 492(a)(1)-(4) was previously timely filed.

14. Calculation of remaining fees due (if any): based on amended claim(s) per above item

☐ 12 (above) or item(s) ☐ 12 ☐ 14 ☐ 17 ☐ 25

15. CLAIMS FEES ☒ previously paid ☐ paid herewith as follows:

| | | | | Large/Small Entity | | Fee Code |
|---|--|------------|---|--|-------------------------------|--|
| 16. Total Effective Claims | | minus 20 = | | x \$ | + | 966/967 |
| 17. Independent Claims | | minus 3 = | | x \$ | + | 964/965 |
| 18. If <u>any proper</u> multiple dependent claim (ignore improper) is present, add | | | | \$ | + | 968/969 |
| 19. Filing Declaration late, fee paid | | previously | <input checked="" type="checkbox"/> now | \$ | +65 | 154/254 |
| 20. SUBTOTAL = | | | | \$65 | | |
| 21. Original due date: March 14, 2002 | | | | | | |
| 22. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached 4 Months | | | | (1 months) (2 months) (3 months) (4 months) (5 months) | \$ \$ \$ \$ \$720 | +720 115/215 116/216 117/217 118/218 |
| 23. TOTAL | | | | \$785 | | |
| 24. If "non-English" box 2 is X'd, add Rule 17(k) processing fee | | | | \$ | + | 156 |
| 25. If "assignment" box 6 is X'd, add recording fee | | | | \$ | | 581 |
| 26. TOTAL FEE ENCLOSED = | | | | \$785 | | |

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached.
 This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Manelli Denison & Selter, PLLC

By: Atty: Jeffrey S. Melcher

Reg. No. 35,950

Customer No. : 20736

Sig:

Fax: (202) 887-0336

Tel: (202) 261-1045

NOTE: File in duplicate with PTO return receipts & attachments

08/16/2002 MKAYPAGH 00000046 10009302

01 FC:254 65.00 OP

08/16/2002 MKAYPAGH 00000046 10009302

02 FC:218 720.00 OP

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